

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Margetts et al.

Confirmation No.: 1893

Application No.: 10/553,111

Group Art Unit: To be assigned

Attorney Docket No.: 10103-030-999

(U.S. National Stage of PCT/GB04/01663,

filed April 16, 2004)

Filed: October 12, 2005

Examiner: To be assigned

CAM: 052922-999030

For: USE OF STEROID DERIVATIVES

FOR THE TREATMENT OF ANGIOTENSIN II RELATED

DISEASE E.G. CARDIOVASCULAR

AND PROLIFERATIVE

DISORDERS

RESPONSE TO DECISION ON THE RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371

Mail Stop PCT (Office of PCT Legal Administration)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Sir:

In response to the Decision on the Response to Notification of Missing Requirements Under 35 U.S.C. 371 ("Decision") mailed by the United States Patent and Trademark Office on February 23, 2007 in connection with the above-identified application, Applicants submit herewith: (i) a Declaration and Power of Attorney executed by John Wilbraham Lester (legal representative of deceased inventor George Margetts); (ii) a Declaration and Power of Attorney executed by Gavin Paul Vinson; and (iii) a copy of the Decision.

Applicants respectfully submit that the enclosed two counterparts of the Declaration and Power of Attorney comply with the requirements of 37 C.F.R. § 1.497(b)(2) because the citizenship, residence and mailing address of deceased inventor George Margetts is provided.

No fee is believed to be due in connection with this response other than that due in connection with the Petition for Extension of Time. However, in the event that any

ATI-2284306v1 1

additional fee is required, please charge the required fee to Jones Day Deposit Account No. 50-3013.

Date August 16, 2007

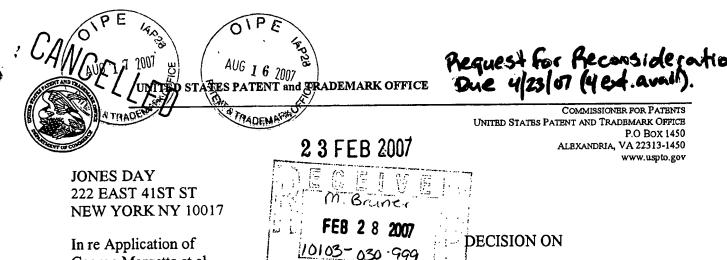
Respectfully submitted,

Anthry M. Lusogna, Ry. No. 35,203 By: Mid D. Bruner, Ry. No. 47,458

By: Michael J. Bruner (Reg. No. 47,458) JONES DAY 222 East 41st Street New York, New York 10017 (404) 581-8614

For: Anthony M. Insogna (Reg. No. 35,203) **JONES DAY** 12265 El Camino Real, Suite 200 San Diego, California 92130 (858) 314-1130

ATI-2284306v1 2



George Margetts et al PCT No.: PCT/GB2004/001668

Application No.: 10/553,111 Int. Filing Date: 16 April 2004

Priority Date: 16 April 2003 Attorney's Docket No.: 10103-030-999 For: USE OF STERIOD DERIVATIVES...

PROLIFERATIVE DISORDERS

44

PAPERS FILED

UNDER 37 CFR 1.42

This is a decision on the "RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 USC §371" filed 06 November 2006, which has been treated as a request for status under 37 CFR 1.42.

BACKGROUND

In a decision from this Office on 02 October 2006, the request filed on 13 June 2006 was dismissed. The decision indicated that the residence and mailing address of the legal representative and the deceased inventor had not been provided as required under 37 CFR-1.63.

On 02 October 2005, applicants filed the current response, stating that the enclosed Declaration complies with the requirements of 37 CFR 1.497(b)(2) that John Lester is the legal representative of the deceased inventor George Margetts.

DISCUSSION

A review of the application file still reveals that the declaration does not comply with 37 C.F.R. §1.497(b)(2).

Because the co-joint inventor George Margetts is deceased John Wilbraham Lester and has been appointed as the legal representatives for the deceased inventor, 37 C.F.R. §1.497(b)(2) indicates that "[i]f the person making the oath or the declaration or any supplemental or oath or declaration is not the inventor (§§1.42, 1.43, or 1.47), the oath or declaration shall state the relationship of the person to the inventor, and, upon information and belief, the facts which the inventor would have been required to state (the inventor's citizenship and so on). If the person signing the oath or declaration is the legal representative of a deceased inventor, the oath or declaration shall also state that the person is a legal representative and the citizenship, residence and mailing address of the legal representative." (see MPEP § 409.01)

Application No.: 10/553,111

In this instance if the information provided as stated by Mr. Bruner is of the legal representative, then the declaration does not provide the necessary information for the deceased inventor, George Margetts. Thus, the citizenship, residence and mailing address of the deceased inventor and the citizenship(must), residence and mailing address(should) of the legal representative be provided in the declaration as required under 37 C.F.R. §1.497(b)(2).

Consequently, applicants have not satisfied the requirements under 37 CFR 1.42.

CONCLUSION

For the above reasons, the request for status under 37 CFR 1.42 is not accepted.

Applicant is required to provide an oath or declaration in compliance with 37 CFR 1.497(a)-(b) within TWO (2) MONTHS from the mail date of this Decision. Any reconsideration request should include a cover letter entitled "Second Renewed Submission Under 37 CFR 1.42." Extensions of time are available under 37 CFR 1.136(a).

Any further correspondence with respect to this matter should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

Rafael Bacares
PCT Legal Examiner
PCT Legal Administration Office

Tel: (571) 272-3276 Fax: (571) 273-0459

٠.: